

IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO

CHARLES ZUCHOWSKI
2500 Buckhurst Dr.
Cleveland, OH 44122

Plaintiff,

-vs-

CONNECTICUT GENERAL LIFE
INSURANCE COMPANY
C/O MET LIFE
5422 Bay Center Dr.
Tampa, Florida 33609

Defendant

431358

CASE NO: _____

324 NANCY R. McDONNELL

JUDGE: _____

COMPLAINT
DECLARATORY JUDGMENT

JURY DEMAND ENDORSED HEREON

Plaintiff, Charles Zuchowski for his cause of action against Defendant Connecticut General Life Insurance Company, state as follows:

COUNT ONE

1. Plaintiffs state on belief that Connecticut General Life Insurance Company is a corporation duly incorporated under the laws of the State of Ohio and at all times pertinent hereto are and were doing business in The State of Ohio in the City of Cleveland, County of Cuyahoga, and the State of Ohio in the sale of disability insurance to the general public.
2. Plaintiffs further states that on or about August 14, 1989, he entered into a contract to purchase a Disability Income Protection Policy; policy number EIN 772,891 from defendant Connecticut General Life Insurance Company. A copy of the Declaration Page of said policy

is attached hereto as Exhibit "A" and by reference made a part hereof as if fully rewritten herein.

3. Plaintiff further states that on May 15, 2000 he became disabled pursuant to the terms of his insurance policy with Defendant.
4. Plaintiff further states that he made a claim for disability benefits pursuant to the terms of the policy but defendant has refused to compensate him pursuant to the terms of his policy.
5. Plaintiff further states that Defendant has breached its contract with Plaintiff the particulars which will be set forth at the time of trial.

COUNT TWO

6. Plaintiff further states and incorporates the allegations of paragraphs one through five of Counts One as if fully rewritten.
7. Plaintiff further states that he has a valid claim for disability under Defendant Connecticut General Life Insurance Company's policy and Defendant's failure to extend coverage in this matter constitutes Defendants' failure to act in good faith in this matter.


COUNT THREE

8. Plaintiff further states and incorporates the allegations of paragraphs one through seven of Counts One and Two as if fully rewritten.
9. Plaintiff further states that at all times pertinent hereto, Plaintiff Charles Zuchowski had a contract for insurance with Defendant Connecticut General Life Insurance Company which avails Plaintiff coverage for the loss as set forth in the First and Second Counts of this Complaint.

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10. At all times pertinent hereto, Defendant Connecticut General Life Insurance Company has raised coverage questions as they relate to Plaintiffs' claims.
11. Under the Uniform Declaratory Relief Act, all named Defendants and Plaintiffs are parties in interest to this cause of action and are entitled to a Court ruling on the issue of coverage and damages.

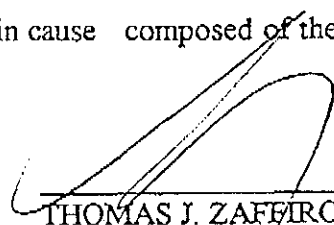
WHEREFORE, Plaintiff CHARLES ZUCHOWSKI prays Judgment against Defendant CONNECTICUT GENERAL LIFE INSURANCE COMPANY in the amount of TWO HUNDRED THOUSAND DOLLARS (\$200,000.00) IN COMPENSATORY DAMAGES, PUNITIVE DAMAGES IN THE AMOUNT OF ONE HUNDRED THOUSAND (\$100,000.00) together with pre-judgment interest, attorney fees and costs of this action.



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JURY DEMAND

Plaintiff request a trial by jury in the within cause composed of the maximum number of jurors permitted by law.



THOMAS J. ZAFFIRO
Attorney for Plaintiff

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